

MAY 21 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C.

In the matter of  
  
TELEPHONE COMPANY-  
CABLE TELEVISION  
Cross-Ownership Rules,  
Sections 63.54 - 63.58

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RM-8221

**COMMENTS OF THE ASSOCIATION OF  
INDEPENDENT TELEVISION STATIONS, INC.**

The Association of Independent Television Stations, Inc. ("INTV"), by its counsel, hereby submits its comments in response to the Joint Petition for Rulemaking and Request for Establishment of a Joint Board ("Joint Petition"), filed April 8, 1993, by the Consumer Federation of America and the National Cable Television Association, Inc.

INTV is a non-profit, incorporated association of independent television stations and was a party to the Commission's video dialtone proceeding. The interests of INTV's members as potential competitors and customers of any video or related service or facilities provided by a local telephone company will be affected by the manner in which video dialtone services are offered and provided.

INTV also urges the Commission to initiate a proceeding looking towards adoption of additional, more specific rules governing the provision of video dialtone service. As the Joint Petition points out, the ad hoc approach currently

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relied on by the Commission is woefully inadequate. The large number of unanswered questions in the wake of the Commission's adoption of video dialtone rules has invited submission of video dialtone applications which pay scant heed to the valid and vital interests of ratepayers and potential competitors. They also invite a haphazard approach to refinement of significant Commission policies. Adoption of a more comprehensive regulatory scheme for video dialtone service and facilities offerings would better protect the interests of the public. Therefore, INTV supports the Joint Petition and urges commencement of a proceeding to further define the rules governing provision of video dialtone service.

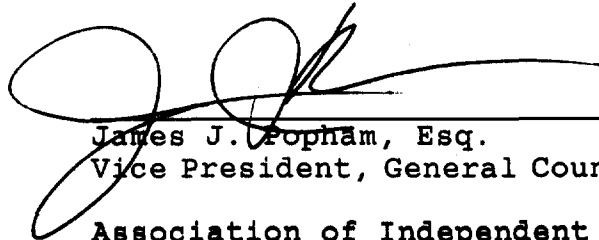
INTV also urges the Commission to include in such proceeding the issue of availability of special advantageous tariffs for broadcast signal retransmission. The availability of special advantageous tariffs for broadcast signal retransmission would go far to maintain the incentive and ability of broadcast licensees to provide programming responsive to community needs and interests and pertinent to community issues.

Special tariffs would have two desirable effects. First, costs to stations of maintaining access to their audiences would be lowered. Second, the incentive to remain a broadcast licensee would be greater. If the LECs do implement universal video transport to the home, then a local program provider would have less incentive to maintain over-the-air transmission facilities. By lowering the cost of wire transmission for broadcast station retransmission, licensees

would have another reason to remain licensees rather than return their licenses to the Commission and escape statutory obligations to provide public service programming.

The Commission may adopt regulations to maintain the vitality, as well as the basic viability of broadcast television service, and should consider doing so in any proceeding initiated in response to the Joint Petition.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Popham', is written over a horizontal line.

James J. Popham, Esq.  
Vice President, General Counsel

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May 21, 1993

CERTIFICATE OF SERVICE

I, JAMES J. POPHAM, hereby certify that on this 21st day of May, 1993, I have caused to be served by first-class mail, postage prepaid, a copy of the foregoing Comments, addressed to the individuals listed below: